# A BILL FOR AN ACT

RELATING TO ELECTIONS.

### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1	PART I		
2	SECT	ION 1. Section 11-7, Hawaii Revised Statutes, is	
3	amended as	s follows:	
4	1. I	By amending subsections (a) and (b) to read:	
5	" (a)	There is established an elections commission within	
6	the depart	tment of accounting and general services for	
7	administrative purposes. The elections commission shall		
8	[ <del>consist (</del>	ef] include nine members consisting of eight	
9	commissioners and a chairperson who shall be selected as		
10	follows:		
11	(1)	The president of the senate shall select two elections	
12		commission members;	
13	(2)	The speaker of the house of representatives shall	
14		select two elections commission members;	
15	(3)	The senators belonging to a party or parties different	
16		from the president of the senate shall designate one	
17		senator to select two elections commission members;	

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1	(4)	The representatives belonging to a party or parties
2		different from the speaker of the house of
3		representatives shall designate one representative to
4		select two elections commission members; and
5	(5)	One member, who shall serve as chairperson of the
6		elections commission, shall be selected by the members
7		of the elections commission selected pursuant to
8		paragraphs (1) to (4);
9	provided	that each group of four elections commission members
10	selected	by each house shall include one elections commission
11	member fr	om each of the four counties.
12	(b)	The chairperson of the elections commission under
13	subsectio	n (a)(5) shall be selected by a two-thirds vote[ $\div$ ] of
14	the commi	ssioners selected pursuant to subsection (a)(1) to (4);
15	provided	that the tenure of the chairperson shall be subject to
16	subsectio	n (f) and also to removal at-will by a two-thirds vote
17	of the co	mmissioners at any time."
18	2.	By amending subsections (e) through (g) to read:
19	"(e)	[Notwithstanding section 26-34,] The elections
20	commissio	n [ <del>member appointments</del> ] shall not be subject to
21	[ <del>senatori</del>	al confirmation.] section 26-34.

1	(f) The term of the elections [commissioners] commission
2	members, including the chairperson, shall be four years[ $_{ au}$
3	except]; provided that with respect to the terms of the initial
4	elections commission members, one member selected from each of
5	subsection (a)(1) to (4) shall serve for a term of two years $[-]$ ;
6	provided further that no member, including the chairperson,
7	shall serve more than two consecutive terms or more than eight
8	consecutive years on the commission. The term of each
9	commissioner selected pursuant to subsection (a)(1) to (4) shall
10	commence on July 1 and expire on June 30.
11	(g) The elections [commissioners] commission members shall
12	serve without compensation, but shall be reimbursed for
13	reasonable expenses, including travel expenses, necessary for
14	the performance of their duties."
15	PART II
16	SECTION 2. Section 15-5, Hawaii Revised Statutes, is
17	amended by amending subsection (a) to read as follows:
18	"(a) Immediately upon receipt of a request for absentee
19	<u>ballot</u> within the time limit specified in section 15-4, the
20	clerk shall examine the records to ascertain whether [or not]

the voter is lawfully entitled to vote as requested. [As soon

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1	<del>as the pr</del>	inted official ballots are available, If the clerk	
2	ascertain	s that the voter is lawfully entitled to vote as	
3	requested	, no earlier than thirty days before the election, the	
4	clerk sha	ll mail in a forwarding envelope, or deliver in person	
5	if the voter appears at the office of the clerk, an official		
6	ballot and other materials prescribed in section 15-6, except		
7	that an incapacitated voter may send a representative to obtain		
8	the voter	's ballots pursuant to the rules [promulgated] adopted	
9	by the chief election officer[. All requests received upon the		
10	last day specified in section 15-4 for receipt shall be mailed		
11	to the voter requesting the same as soon as reasonably		
12	<del>practicab</del>	le, but in no event later than twenty four hours after	
13	receipt t	hereof.]; provided that official ballots and other	
14	materials	prescribed in section 15-6 shall be mailed or	
15	delivered	<u>:</u>	
16	(1)	To uniform military and overseas voters pursuant to	
17		section 15D-9; and	
18	(2)	No later than twenty-four hours after receipt of the	
19		request for absentee ballot for requests received on	
20		the last day specified in section 15-4."	
21		PART III	

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- 1 SECTION 3. Statutory material to be repealed is bracketed
- 2 and stricken. New statutory material is underscored.
- 3 SECTION 4. This Act shall take effect upon its approval.

### Report Title:

Elections Commission; Absentee Ballot Delivery

#### Description:

Clarifies that the chairperson of the elections commission serves at-will and may be removed by a 2/3 vote of the commissioners. Clarifies the term limits of the members of the elections commission, including the chairperson. Creates a statewide standard for the distribution of absentee ballots. (Proposed SD1)

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